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Не публиковать до того, как представлено на публичном заседании Трибунала и только ту часть, которая представлена в качестве доказательства.

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I certify that none of the documents included herein have been denied by the Tribunal and that this document book has been examined with the prosecution in accordance with the ruling of the Tribunal dated 4 April 1946.

Je certife qu'aucun des documents ci-inclus n'a été contesté par le Tribunal, et que ce livre de documents a été examiné par le Ministére Public suivant les règles du Tribunal, en date du 4 Avril 1946.

Ich bestaetige, dass keine der hierin enthaltenen Dokumente vom Gerichtshof abgelehnt wurden und dass dieses Dokumentenbuch gemeinsam mit der Anklagevertretung durchgesehen wurde, in Uebereinstimmung mit der Entscheidung des Gerichtshofes vom 4. April 1946.

Signature of Counsel

Signature de l'Avocat

Unterschrift des Verteidigers.

H0809 - 0004

Document Book

for the Organization

Gestapo

presented by:

Dr. Rudolf MERKEL

Attorney-at-Law

H0809 – 0005

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Document Book I

for the Organization

Gestapo

presented by:

Dr. Rudolf MERKEL

Attorney-at-Law.

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- -

GESTAPO Document book I:

Gestapo Exhibit Nos. 1 and 2

1.) System, definition, and historical development of the Political Police.

- -

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Faked July 31, 1944

(Page 2 of orig.)

Gestapo Exhibit 1

Excerpts from: "Police and Politics" by Dr. Bernhard WEISS

Published 1928 in Berlin

Page 25

Second paragraph

Influence of Police on Politics: Political Police.

Chapter I: Concept and purpose of political police.

Concept of political police.

.....

Political police implies nothing more than the sum total of such police activity as is directed at police protection of the State.

.....

Page 27

.....

The purpose of political police.

In characterizing the concept of political police the general aim at the same time is made clear. It has as its aim the protection of the State and has to combat by police means those forces, which are hostile to the State in its present form of sovereignty, in short, forces hostile to the State.

.....

Page 60.

.....

Enemies of the State and their Treatment.

The efforts of the political police have as their object forces hostile to the State, or expressed more concretely: persons hostile to the State

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and the organizations hostile to the State. To the extent that individual persons who are hostile to the State come into conflict penal laws through participation in their hostile attitude toward the State thus becoming guilt, for example, of the crime of High Treason, political murder, etc, it is a case of political criminals.

.....

Page 99.

Chapter V.

The preventive tasks of the political police

Much more essential than the investigation of punishable political offenses already committed is their prevention. In no other field of work does preventive activity of the police have such significance as with the political police; not only because a higher legally protected asset (the State) is threatened by political misdemeanare than by common punishable offenses, but also because political-crimes, especially in politically agitated times, act much more infectiously than any other crimes. The political police cannot wait therefore until high treason has been committed or until the existing from of the State is forcibly done away or until a premediated political murder has been successfully committed, but it must promptly pursue the first germ of a conspiracy in order to prevent the enterprise planned from maturing into an acute danger to the State. The political police as FOUCHÉ once said must, "every where have eyes to see, and arms to seize."

.....

I hereby certify the agreement of the above copy with the original now before me.

Nuernberg, 5 July 1946

s/ Dr. MERKEL

Attorney-at-law.

HO809 - 0017

Filed July 31, 1946

Gestapo Exhibit 2.

Excerpt from Hans GABENDREYER, "The Political Police in Prussia".

1935

Page 1

Introduction.

.....

One has to differentiate between the Political Police in the material sense and the Political Police in the formal sense. Thereby quite generally speaking is to be understood those police functions which have as their object the legal shaping of the relations of the authority of the State towards its opponents within. There has always been in every orderly state, a Political Police in this sense and there is today with us, as well as in all other countries, a Political Police in this material sense. Today the Political Police have been put on a new legal basis also in the material sense. At present the emergency decree of 28 February 1935 is the most important legal source in this respect. Today par. 14 of the Police administrative law can no longer be applied to the sphere of the Political Police. This will be shown in greater details as follows.

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Page 3.

Part I: The Idea of State Police.

A. The absolute state's idea of State Police.

I. In the long-established Police State.

.....

Page 5

However, another group of police measures is of interest here. In regard to them it must be asserted that they have no other aim but to assist in the formation and maintenance of the relation between state and the people of the absolute state as described at the beginning. Those measures actually pursued but one objective. They were meant to secure the superior position of the monarch above the subjects of the authority of the state. Without hesitation, one can characterize this part of the police function of the absolute state as Political Police.

As, in the course of time, the contrast between monarch and Subjects grew sharper, this group of political police measures became clearer and more significant.

.....

Page 11

Par. 10 II 17 AIR seems to be a general clause from the point of view of the Political Police and also of the general Police. It empowers the political police to take all steps

H0809 – 0019

necessary to preserve the security of the state.

.....

III. In the resteration period.

In France under the influence of rationalism the contrasts based on the nature of the absolute state, had deepened most quickly and had led to revolution.

.....

C. The idea of State Police in the National Socialist State

.....

Today the Political Police has to fulfil a natural function within the framework of the general state activity. Authority does not maintain its position of itself. The Political Police has to guarantee to the new state the protection that every political organism must claim for itself. The preservation of state authority, however, can never be tyranny.

.....

When the Political Police uses governmental power for the protection of the state the former has to a certain extent held to the happy medium between anarchy and tyranny. It has to prevent the state of tyranny without being permitted, however, to lose itself thereby in the methods of tyranny.

.....

B. Extent and limits of the authority of Political Police.

The function of Political or State Police (there is no difference in the abstract between the two expressions)

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is a function of administration. The law of 30 November 1933, which even designates the Secret Police as an independent branch of internal administration, leaves no doubt about it. The Political Police, therefore, is subject to all limitations generally standard for the function of administration. Even in the National Socialist state the fundamental principle of the administration's obligation to the law, has not lost its validity. Today, however, it no longer appears as a fundamental norm of civic rights which is to protect the citizen from illegal encroachments by the state authority. Today the law has to be considered as an emergency measure, which, among other things, is meant to make the Fuehrer's will exclusively respected. Apart from all other tasks which the law has to observe, the principle of the administration's obligation towards the law is today a necessity just because it would not be possible to carry out consistently the National Socialist Fuehrer principle. In its capacity as administrative function the Political Police differs from judicial and legislative functions.

Today, however, there is no longer such a strict division of power as existed under previous law. But there is no doubt that the agencies of the Political Police are not authorized to exercise judicial powers especially in criminal cases. Protective custody which will be dealt with in more detail later, is not to be regarded as punishment and must never take on this character.

.....

Page 29

I. The emergency decree of 28 February 1933 for the protection of people and state.

a) presuppositions for the issuance

H0809 - 0021

of the or according to the law of the Weimar Constitution and its interpretation.

The emergency ordinance of 28 February 1933 is the most important material legal basis for the activities of the Political Police.

I hereby certify the agreement of the above copy with the original now before me.

Nuernberg, 15 June 1946.

s/ Dr. MERKEL

Attorney-at-law.

H0809 – 0022

GESTAPO Document book I:

Gestapo Exhibit:

Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31.

2.) Origin, development, and tasks of the Gestapo.

H0809 - 0023

GESTAPO Document book I:

Gestapo Exhibit

Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25.

2.) Origin, development, and tasks of the Gestapo

a) Laws and ordinances.

H0809-0024

Filed July 31, 1946

Gestapo Exhibit 3

Copy of document 2104-PS

Prussian Code 1933, page 122.

(No.13877.) Law on the organization of a Secret State Police Office. Dated 26 April 1933.

(No.13877.) Gesetz ueber die Einrichtung eines Geheimen Staatspolizeiamts. Vom 26. April 1933.

The State Ministry has resolved on the following law:

Article 1

(1) The Secret State Police Office, with headquarters in Berlin, is organized in order to carry out the duties of political police with or in place of the ordinary police authorities (Article 2, paragraph 1 of the Code of Police Administration of 1 June 1931, Gesetzsammlung p.77) The Secret State Police Office has the rank of a higher police authority and is subordinate only to the Minister of the Interior.

(2) The Minister of the Interior determines the functional and territorial jurisdiction of the Secret State Police Office.

(3) The regulations of the Code of Police Administration of 1 June 1931 concerning appeals against orders of the higher police authorities are applicable insofar as the Administrative Court in Berlin has exclusive jurisdiction over court appeals against orders of the Secret State Police Office.

Article 2.

Within its jurisdiction, the Secret State Police Office can make requests for police action to all police authorities.

Article 3.

The Minister of the Interior is entitled to issue administrative orders for the execution of this law. He acts in agreement with the Minister of Finance in regard to the number and type of officials and employees who should be employed by the Secret State Police Office.

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Article 4.

This law is to go into effect on the day of its promulgation.

Berlin, 24 April 1933.

The Prussian Ministry of State

Goering Popitz

I hereby certify the agreement of the above copy with the original before me.

Nuernberg, 15 June 1946.

s/Dr. MERKEL

Attorney-at-law

H0809 - 0026

Filed July 31, 1946

Gestapo Exhibit 4

Excerpt from document 2371-PS

Ministerial - Blatt 1933 / page 504

Reorganization of the Political Police.

Circular Decree of the Ministry for the Interior
of 26 April 1933 - II 1000/53

(Reorganisation der politischen Polizei
Rd Erl. d. MdJ. v. 26.4.1933 - II 1000/53

In order to guarantee effective countermeasures against all activities endangering the existence and security of the State, the State Government has decided to reform the organization of the political police more severely than before and to create the necessary conditions for speedy and successful operations. For this purpose and for the benefit of a uniform supreme management of the political police the Office of Secret State Police (which is) directly subordinated to myself has been established in Berlin SW 11 Prinz Albrechtstrasse 8 by the law of 26.4.1933 printed in supplement (Gesetzsammlung, Seite 122) (Collection of Laws Page 122). Its duty is to investigate all political activities endangering the state by special executors with the assistance of outside bureaus for the individual provincial police districts (State-Police-Bureaus) and with the support of the ordinary Police authorities within the entire territory of the State, to collect and evaluate the results of these investigations, to keep me, the Minister for the Interior, permanently informed, to place at my disposal at all times the necessary proofs for my decisions, and finally to report all politically important observations and statements also to other police authorities and provide them with suggestions. Furthermore, the Office of the Secret State Police is authorized within the sphere of its activity to request political measures from other police-authorities and to give them instructions.

In detail it is ordered as follows:

I.

(1) The Secret State Police will take over work heretofore assigned to the Regional Branch of the Criminal Police Office (Landeskriminalpolizei) for the Political Police, relieving at the same time

the Police President of Berlin of such work - and thus become a center for the collection of information of the Political Police for the entire State territory.

(2) For each Administrative District (Regierungsbezirk) a State Police office will be established to serve in its District as a subordinate instrument of the State Criminal Police; moreover, it will take care of the work heretofore handled by the Regional Criminal Police office (Landeskriminalpolizei) on behalf of the Political Police, making it in that respect also an organ of the competent branch of the Regional Police authority (Landespolizeibehoerde).

. . . . . .

(3) In order to permit the appointment of government officers with appropriate training for the administration of State Police offices, and in order to assure the necessary close cooperation with the Regional Police authority - on whose behalf the State Police will act - and in cases where the Office of a Regierungspraesident (head of a Regierungsbezirk) and the State Police Offices will be in the same locality, the arrangement will be that the political experts in the Office of a Regierungspraesident will at the same time act as the head of the State Police Offices under its jurisdiction. . . . . .

. . . . . .

(4) In the City of Berlin the Secret State Police itself will act for the State Police.

(5) In taking political measures, executive officials of State Police agencies will always act as an organ of the competent local Regional Police (Landespolizei), also in cases when requests and instructions come from the Secret State Police. This applies in particular to provisions governing procedures on legal measures.

. . . . . .

3. (1) Within the bounds of its jurisdiction and/governing criminal in line with provisions procedure, the Secret Police is authorized to appoint its own officers, or such of the State Police offices, to perform the tasks incumbent upon Police and Security Service (Sicherheitsdienst) agencies and officials.

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(2) Secret State Police officials, or State Police offices, acting as subsidiary agencies of the Advocate General will for such assignments be subject to the authority of the local establishments Advocate General's office and the Chief Director's office of the Advocate General and will abide by their orders.

. . . . . VI.

The Secret State Police - instead of the Police President of Berlin - will have the authority to declare a ban on periodicals and to issue decrees ordering curtailment of property rights, of personal freedom, of the right to form unions and to assembly; curtailment of privacy of communication by mail, postal service, telegraph or telephone, by reason of article 1, VO (decree?) of the Reich President for the protection of the nation and the State, dated 28 February 1933 (RGBl. I S.83) Reich Law Gazette I, page 83. For pertinent information refer to attachment 4, reprint of VO dated 26 April 1933 (GS.S. 127) page 127.

. . . . . .

I hereby certify that the above copy agrees with the original now before me.

Nuernberg, 9 July 1946

s/ Dr. Merkel

Attorney-at-Law.

H0809 - 0029

Filed July 31, 1946

Gestapo Exhibit 5

Copy of document 2105 - PS

Prussian Code, 1933 / page 413

(No. 14033) Law concerning the Secret State Police.

Dated 30 November 1933.

The State Ministry has resolved the following law:

Section 1

(1) The Secret State Police is an independent branch of the Administration of the Interior. The Prime Minister is its chief. He appoints an Inspector of the Secret State Police as acting manager.

(2) In case of absence, the State Secretary of the State Ministry acts as deputy of the Prime Minister in his capacity as Chief of the Secret State Police.

Section 2

The jurisdiction of the Secret State Police covers all political police matters of the general and interior administration. The Prime Minister, as Chief of the Secret State Police, will issue the regulations regarding the matters which must be transferred to the Secret State Police.

Section 3

(1) With the enactment of this law the Secret State Police Office takes over the police matters of a political nature which were previously handled by the Ministry of the Interior.

(2) The district, county and local police authorities are subject to the directives of the Secret State Police Office.

H0809 - 0030

Section 4

The Minister of Finance is empowered to make changes in the budget of the State in order to carry out this law.

Section 5

The provisions of the law of 26 April 1933 (Code of laws, page 122) become invalid to the extent that they oppose this law.

Section 6

This law is to go into effect on the day of its promulgation.

Berlin, 30 November 1933.

Seal

The Prussian Ministry of State

Goering Popitz

also Minister
of the Interior.

I hereby certify the agreement of the above copy with the original now before me.

Nuernberg, 15 June 1946.

s/ DR. MERKEL

Attorney-at-law.

H0809 - 0031

Filed July 31, 1946

Gestapo Exhibit 6

Copy of document 2113-PS

Prussian code 1934/ page 143

(No. 14098) Decree for Application of the Law of 30 November 1933,
Concerning the Secret State Police pf 8 March 1934
(Code of laws, page 413).

((Nr.14098) Verordnung zur Durchfuehrung des Gesetzes ueber die Geheime
Staatspolizei vom 30. November 1933 (Gesetzsammlung S. 143).
Vom 8. Maerz 1934)

ARTICLE 1.

(1) The tasks of the Secret State Police will be effected :

a) by the Secret State Police Department in Berlin (Art. 1 of the law of 26th April 1933 -L.R. p. 122) for the entire State territory,

b) by the State Police Offices for the "Landes Polizei Bezerke" (Provincial Police Districts).

(2) The "Inspecteur" (Head of the Police) conducts the general supervision of the State Police Offices, on the order and according to the instructions of the "Ministerpraesident" (Chief of the Secret State Police)

(3) In so far as the Minister President does not otherwise order, the State Police Offices are subordinate to the Regional President and in Berlin to the President with whom they are in immediate working connection. The control of the State Police Offices will be effected by officials to be designated by the Minister President.

(4) In places where there is no State Police Office, subsidiary offices can be established on the proposal of the "Inspecteur".

(5) The competence of the State Police Offices will cover

a) matters limited in their inferences t) the Provincial Police Districts,

b) matters assigned to them by the "Inspecteur" of the Secret State Police without regard to the limitations of the Provincial Police District.

H0809 – 0032

(6) The local or district police matters within the sphere of the Secret State Police will be conducted at the seat of the State Police Office by the latter, in places where there are subsidiary offices of the State Police by these, and for the rest by the Local and District Police authorities as auxiliaries to the Secret State Police.

Article 2.

The receipts and expenditure of the Secret State Police will be treated separately in the Budget of the Ministry of the Interior. The task of the preparation of the Budget and the disposition of these funds belong to the Minister President.

Article 3.

(1) The officers of the State Secret Police are officials of the general internal Administration. On the request of the Minister President, they will be placed at the disposal of the State Secret Police by the Minister of the Interior. The appointments of the higher administrative officials of the State Secret Police and of the superior officials of the Criminal Police, from the Criminal Commissar upwards, will be made by the Minister President and the appointments of the other officials will be made by the "Inspecteur".

(2) The "Inspecteur" has disciplinary powers over the officials of the State Secret Police in accordance with Art. 16, Art. 17, para. 1, No. 2 of the Officer's Disciplinary Code of 27 January 1932 (Code of laws, p.59).

Article 4.

(1) Art. 2 of the Second Decree of Application of 26 April 1933, by the Minister of the Interior (Code of laws, p. 126), to the Decree of the President of the Reich concerning the protection of the German People, dated 4 February 1933, is hereby abolished.

(2) Art. 1, of the Decree of the Minister of the Interior of 26 April 1933 (Code of laws, p. 127) reads as follows:-

H0809 - 0033

" Article 1.

Besides the Police President in Berlin, in his capacity as Provincial and District Police Authority (Art. 1 and 2 of the Decree of 2 March 1933 - Code of laws, p. 33.), the Secret State Police Department in Berlin is also competent for the prohibition of periodicals, for the imposition of restrictions on property, on personal liberty and on the right of union and assembly, as well as limitations on letter, post, telegraph and telephone secrecy, in accordance with Art. 1 of the Decree of the Reich President for the Protection of the People and State of 28 February 1935 (Reich Law Register p. 83)".

Article 5.

Art. 2 of the Decree of the Minister of the Interior of 2 March 1933 (Code of laws, p.33), concerning the supplement to the Decree of 1 October 1931 (Code of laws, p. 213), for the regulation of the competence of the Provincial and District Police Authorities, will be altered in such wise that, for the ordering of restrictions on personal freedom and the rights of union and assembly, as well as on limitations on letter, post and telegraph secrecy, the authorities of the State Secret Police (Art. 1 para. 1) shall also be competent, in so far as concerns their sphere of office, but that, for the regulation of restrictions on telephone secrecy, only the latter shall be competent.

Article 6.

This Decree comes into force on the day of its proclamation.

Berlin, 8 March 1934.

THE PRUSSIAN MINISTER PRESIDENT

GOERING.

I hereby certify the agreement of the above copy with the original now before me.

Nuernberg, 15 June 1946.

s/ Dr. MERKEL

Attorney-at-Law

H0809 – 0034

Filed July 31, 1946

Gestapo Exhibit 7

Copy of document 2107 PS.

Prussian Code, 1936/page 21

(No. 14308.) Law on the Secret State Police of 10 February 1936.

(Nr. 14308.) Gesetz ueber die Geheime Staatspolizei, vom 10. Februar 1936.

The State Ministry resolved the following law:

Article 1.

(1) The Secret State Police has the duty to investigate and to combat, in the entire territory of the State, all tendencies inimical to the State. Furthermore, it is the duty to collect and evaluate the result of the investigations, to inform the government of the State, and to keep other authorities informed of results significant for them, and to make suggestions. The Chief of the Secret State Police will determine, in agreement with the Minister of the Interior, which duties should be transferred to the Secret State Police.

(2) The jurisdiction of the organs of the ordinary administration of justice is not affected.

Article 2.

(1) The Prime Minister is the Chief of the Secret State Police.

(2) The Deputy Chief of the Secret State Police, who is appointed by the Chief directs the operations of the service for him.

Article 3.

(1) The Secret State Police Office is the supreme agency of the Secret State Police in the province (Landesbehoerde). This office also has the powers of the district police authority.

H0809 – 0035

(2) The Secret State Police Office had its seat in Berlin.

Article 4.

On the district level the duties of the Secret State Police are performed in the individual police districts by the State Police Office. The duties of the Secret State Police at the border are performed by special border police agents. Otherwise the tasks of the Secret State Police are executed by the county and local police authorities in their capacity as branches of the State Police Offices.

Article 5.

The State Police Offices are subordinate to the competent District Governors (Regierungspraesidenten). They must follow their directives and inform them about all Police affairs which are of a political nature. The Chiefs of State Offices are also the officials of the District Governors in charge of politica matters.

Article 6.

The Chief of the Secret State Police, in agreement with the Minister of the Interior appoints and dismisses the Officials of the Secret State Police according to the Reich directives on the appointment and dismissal of State Officials.

Article 7.

Orders in matters of the Secret State Police are not subject to the review of the administrative courts.

Article 8

The Chief of the Secret State Police, in agreement with the Minister of the Interior will issue the administrative directives for the execution of this law.

Article 9.

The law on the organization of the Secret State Police of 26 April 1933,
(1933 Code of laws, p. 122)
the law on the Secret State Police of 30 November 1933,

H0809 - 0036

and sections one to three of the Decree for the execution of the Law on the Secret Police of 8 March 1934, are abrogated.

Article 10

This law takes effect on the day following its promulgation.

Berlin, 10 February 1936

Seal

THE PRUSSIAN MINISTRY OF STATE

GOERING TRICK

After concurrence of the Reich Cabinet I promulgate, in the name of the Reich, the above law for the Fuehrer and Reich Chancellor.

Berlin, 10 February 1936.

THE PRUSSIAN PRIME MINISTER

GOERING

I hereby certify the agreement of the above copy with the original now before me.

Nuernberg, 15 June 1946.

s/ Dr. MERKEL

Attorney-at-law.

Filed July 31, 1946

Document-Copy: 2109-PS

Gestapo-Exhibit 8

(No 14309) Decree to the execution of the Law dealing with the Secret State Police dated 10 February 1936 (Collection of Laws page 21) dated 10 February 1936.

By virtue paragraph 1 and 8 of the Law dealing with the Secret State Police of 10 February 1936 (Collection of Laws page 21) it has been ordered:

Paragraph 1

The Secret State Police is entitled to make political investigations in cases of high treason, treason and bombattacks as well as in cases of other punishable attacks against the Party and the State.

Paragraph 2

(1) The Gestapo is entitled to carry out measures within the framework of its competence in the entire province with effect for the entire province.

(2) The Gestapo recognizes the competence of the highest Provincial-authority in matters concerning the law dealing with firearms and munitions of 13 July 1928 (Reich Law Gazette I page 198)

(3) The Gestapo is the central collecting office for political-police-news.

(4) The Gestapo administers the State Concentration Camps.

(5) In Berlin the Gestapo is likewise competent for the duties of the Gestapo concerning the provincial, district and local Police. Whether and how far these duties will be transferred to the State Police Office Berlin is decreed by the head of the Gestapo.

Paragraph 3

The State Police agencies can, in the name of the competence of the Gestapo, take all measures within the sphere of competence of the Gestapo with the exception of the prohibition of periodicals in their district.

H0809 – 0037

Paragraph 4

(1) As far as it is necessary for the purpose of the investigation and the fight against any actions hostile to the state, the district and local police authorities of towns with more than 5,000 inhabitants can, for the assistance of the Gestapo, order the seizure of publications and the limitation of permissions for the forming of associations and the holding of meetings. Within this framework the district and local police must obey the competent State police agencies.

(2) Where there is a branch of the State police, this is competent for local matters within the framework of the competence of the Gestapo.

Paragraph 5

The Gestapo is an independent branch of the Administration of the Interior. Its officials, employees and wagecarners belong to the Administration of the Interior. Their superior chief is the Chief of the Gestapo.

Paragraph 6

The Chief of the Gestapo represents the Deputy Chief of the Gestapo in all relative matters.

Paragraph 7

Within the framework of the competence of the Gestapo, the Gestapo Office can address requests to the Head Administrations(Ober Praesidenten) and Provincial Presidents, as well as to all Police branches. These must obey the orders of the Gestapo branch in matters concerning the Gestapo.

Paragraph 8

(1) The State police agencies are located at the seat of Government Exceptions to this principle can be determined by the Chief of the Gestapo in agree-

H0809 – 0038

H0809 - 0039

ment with the Ministry of the Interior.

2.) A list of State plolice Agencies is enclosed.

Paragraph 9

1.) The chief of the State Police Agencies and political specialist of the Head of the Provincial administration are nominated by the chief of the Gestapo in agreement with the Minister of the Interior.

2.) In the event of the absence of the chief of the State Police branch by the duties of the political specialist of the Head of the Provincial Administration are carried out by the officials charged with the permament representation of the Chief of the State police branch. By the Chief of the Gestapo in agreement with the Ministry of the Interior.

Paragraph 10.

The State Police branches can address their official requests to all Policebranches within the sphere of their competence. In provincial districts (Landkreis) this applic tion must on principle be addressed to the Provincial Council (Landrat). The reports of the authorities subordinate to the Provincial Council to the State police branches are to be forwarded through the Provincial Council (Landrat); in urgent cases the simultanous notification of the Provincial Council is considered sufficient.

Paragraph 11

The district police authorities must report immediately all important political occurrances and observations.

Paragraph 12

In so far as officals of the Gestapo take over duties within the Frame-work of the Gestapo's competence which are to be dealt with by the authorities and officials of the Police and Security services according to the regualtions of the code of criminal procedure, they act as auxiliary officials of the Reich Chief Attorney or of the local competent Chief Public Prosecutor.

H0809 - 0040

Paragraph 13.

The chief of the Gestapo disposes of the funds assigned to the Gestapo from the budget of the Aiministration of the Interior.

Paragraph 14.

The official newsshect for the Chief of the Gestapo and his representative is the gazette of the Reich and Prussian Ministry of the Interior.

Paragraph 15.

This order comes into force on the day of its promulgation.

Berlin, 10 February 1936

The Reich and Prussian Minister
6f the Interior
FRICK.

The Prussian President of the Council
GOERING.

I herwith certify the agreement of the above copy with the original now before me.

Nuernberg, 15 June 1946

s/ Dr. MERKEL
Attorney-at-Law.

H0809 – 0041

Filed July 31, 1946

Gestapo Exhibit 9

Copy from the Reichsgesetzblatt 1937, part I, page 653.

Law for German Police Officials

(PBG).

of 24 June 1937.

The Reich Cabinet has passed the following law which is hereby made known:

Section I

General rules.

Article I

This law pertains to the executive officials of the Security Police and the Criminal Investigation Police of the Reich and the communities, the Military Police and the Secret State Police, as well as for other police executive agents of the Security Police (police executive agents).

Article 2

The rules for the directly-appointed Reich officials apply to the police executive agents of the Reich, the general legal rules apply to the police executive agents of the communities unless otherwise specified in this law.

. . . . . .

Section II

Reserved Positions

Article 4

With the approval of the Reich Minister of Finance, the Reich Minister of the Interior determines to what extent the Wachtmeister (SB) (police corporal) on probation shall be at the disposal of the Reich Security Police:

1. The positions of the Wachtmeister (SB) (police corporals) of the Military Police,

2. The positions of the regular, intermediate operations service of the Secret State Police and the Criminal Police of the Reich,

H0809 - 0042

3. the positions of the Wachtmeister (SB) (police corporal) of the Security Police in the communities and the positions of the regular, intermediate operations service of the Criminal Police in the communities,
4. the positions of the lower, regular intermediate and upper intermediate of the police administrative service of the Reich,
5. the positions of the lower, regular intermediate and upper intermediate of the police administrative service in the communities; the positions of the police administrative services in this sense are those which perform predominately such tasks which in the communities with State Police Authorities are of special interest to the State Police Administration. The communities may fill such positions with their own police executive officers.

. . . . . Page 654

Section IV

Appointment of Officers

Article 7

(1) Insofar as the Fuehrer and the Chancellor of the Reich have not reserved for themselves the right to appoint police executive officers, the Reich Minister of the Interior exercises the right of appointment; he can delegate this authority further.

(2) The appointment of the police executive officers of the communities requires confirmation by the Reich Minister of the Interior or by the authority appointed by him. Confirmation is not necessary when a Wachtmeister (police corporal) of the Security Police (SB) of the Reich is given a reserved position in accordance with par 4 No 3.

Section V

Officers on Probation

Article 8

(1) The police executive officer on probation will be dismissed when his conduct in or out of office fails to indicate that he is unreservedly prepared to defend the National Socialist State.

H0809 – 0043

The regulations of the German Civil Service Law, which prescribe the conditions under which officials are dismissed, remain as they are.

(2) Moreover, the police executive officer on probation can be dismissed only,

1. When he knowingly violates, grossly or repeatedly, the duties incumbent upon him,

2. When he fails to meet the official requirements of the police executive service,

3. When he is no longer fit for service and in the judgment of an officer or a specially appointed doctor will not regain his fitness within a year; the regulations of Par.76, par 1 and 2 of the German Civil Service Law are unaltered.

(3) The Officials may not use lack of aptitude as reason according to Article 62, Section 3 No 1 of the German Civil Service Law.

(4) The regulation of Par.2 No 2 is not valid for Police Executive Officers who have completed ten years of service including the period of their apprenticeship.

. . . . . Page 656

Section IX

Transfer and its Legal Consequences.

Article 21

(1) Police officers of the Reich can be transferred to positions of police officers of a community, police officers of a community to positions of police officers of the Reich or to other communities.

(2) Officers of the professional commissioners of the Criminal Police of the Reich and of the communities as well as of the State Secret Police may be transferred from a Service Chief or from one of these service branches to another.

(3) Other police executive officers of the Reich, who are officials for life, can be transferred to the police executive service of the communities or to

H0809 – 0044

the police administrative service of the Reich. Should one of the police executive officers transferred to the police administrative service of the Reich fail to meet the demands put upon him in his new office, he can be transferred back again within two years on application to upper intermediate police administrative service within four years in the police executive service of the Reich. The police executive officers of the Reich appointed on probation can also be transferred without their consent to positions of the lower police administrative service of the Reich if they are not suitable for other careers in the police service; on being transferred to a position which belongs to a salaried group with a lower gross basic salary, they receive at least their original basic salary.

(4) The other police executive officers of the communities may be transferred to the police executive service of the Reich or of another community.

(5) The interested communities have to be consulted when a chief is changed. The officer should be consulted before a change of service branch or of a chief.

(6) Transfers are made by the Reich Minister of the Interior or by the officer appointed by him.

(7) As a result of the transfer the direct service relationship is established by the new chief. The previous salary remains the standard.

. . . . . Page 659

Berlin, 24 June 1937.

s/ The Fuehrer and Reich Chancellor

Adolf Hitler

s/ The Reich Minister of Interior

Frick

s/ The Reich Minister of Finance

Count Schwerin von Krosigk

H0809 - 0045

I hereby certify that the above copy agrees with the original now before me.

Nuernberg, 14 June 1946

s/ Dr. Merkel

Attorney-at-Law.

H0809 – 0046

Filed July 31, 1946

Gestapo-Exhibit 10

Copy from the Reich Law Gazette, year 1937, Part I, page 858.

Temporary executive decree to the German Law concerning police officers.

Of 26 July 1937.

By virtue of par. 33 of the German Law concerning police officers of June 24th, 1937 (Reich Law Gazette I p. 653) and par. 19 of the Reich principle, on recruitment, appointment and promotion of Reich and provincial government officials of October 14th, 1936 (Reich Law Gazette I, p. 893) the following will be decreed in agreement with the Reich Finance Minister.with effect from 1 July 1937:

Part I

To par. 1 of the law

(1) Police executive officials are:

.....

d) with the Reich Criminal Investigation Police, the Secret State Police and also with other branches of the Security Police:
Criminal Assistants (Kriminalassistenten), Criminal Senior Assistents (Kriminaloberassistenten) Criminal Secretaries (Kriminalsekretaere) Criminal District Secretaries (Kriminalbezirkssekretaere), Criminal Inspectors (Kriminalinspektoren), Criminal Commissars (Kriminalkommissare) Criminal Counsels (Kriminalraete), Criminal Directors (Kriminaldirektoren), Councillors of the Government and Criminal Police (Regierungs- und Kriminalraete) Senior Councillors of the Government and Criminal Police (Oberregierungs- und Kriminalraete) Directors of Government Criminal Police Departments (Regierungs- und Kriminaldirektoren) and Directors of the Reich Criminal Police.(Reichskriminaldirektoren.)

.....

To par. 4 of the decree.

.....

(4) Reserved are:

.....

c) 80 % of the positions of the regular intermediate executive service of the Criminal Police of the Reich and the municipolities for officials of the Reich security police with more than 3 years of service, 20 % of the same positions for civilian candidates; 50 % of the same positions in the executive

H0809 - 0047

of the Reich Security Police with more than eight years of service, 50% for civilian candidates.

d) 100% of the positions of the lower police administration service with the police administrations of the Reich (Police Presidencies, Police Directorates) (Polizeipraesidien, Polizeidirektionen) and also in the municipal police administration service for officials of the Reich Security Police; 80% of the same positions in the lower administration service of the Secret State Police for the officials of the Reich Security Police with more than 8 years' service, 20% for civilian candidates.

e) 90% of the positions of the regular intermediate police administrations of the Reich (Police Presidencies, Police Directorates) and also of the municipal police administration service for officials of the Security Police of the Reich with more than 10 years of service. 10% of the same position for civilian candidates. 50% of the same positions in the administration service of the Secret Police for officials of the Secret Police of the Reich with more than 8 years' of service. 50% for civilian candidates.

f) 50% of the positions of the upper intermediate Police administration service with the Police Administrations of the Reich (Police Presidencies, Police Directorates, Secret State Police) and also in the municipal police administration for officials of the Security Police of the Reich with at least 12 years' service. 50% for civilian candidates.

.....

Page 861

(11) Suitable officials will be disposed of and summoned if an insufficient number of officials of the Security Police of the Reich reports for the reserved positions according to par. 4. As far as positions in the Reich are to be filled, suitable security officials of the Reich, who meet all requirements, will be chosen and summoned for these positions, and as far as municipal positions are concerned, suitable Security Police officials of the Reich, who meet the above mentioned requirements, will be summoned and placed at the disposal of the municipalities. These officials, intended for the municipal Police service, are obliged to accept service in a municipality.

.....

H0809 - 0048

.....

To par. 21 of the law.

.....

(2) Police executive officials can be transferred to Police administration service - especially to avoid premature pensioning off - if they remain unfit for police executive service through illness or physical handicap but remained fit for the Police executive service.

.....

Berlin, 26 July 1937.

The Reich Minister of the Interior

Frick

I hereby certify the agreement of the above copy with the original now before me.

s/ Dr. MERKEL
Attorney-at-Law

H0809 - 0049

Filed July 31, 1946

Gestapo Exhibit 11

Excerpts from document 2243-PS

Excerpt from the

Reich Legal Gazette (Reichsgesetzblatt)

Part I Page 325

Law relating to Finance Measures in connection

with the Police

19 March 1937.

(Gesetz ueber Finanzmassnahmen auf dem Gebiete

der Polizei

vom 19 Maerz 1937)

The government of the Reich has resolved upon the following law, which is hereby proclaimed:

Article 1

(1) The following are to become direct officials of the Reich:

1. Officials in organizing posts of the establishment "Reichfuehrer of SS and Chief of the German Police in the Reich Ministry of the Interi

2. Officials of the Security Police (Gestapo and Criminal Police), but not police officials serving in the State Police Administrations for the Criminal Police.

3. Officials of the Civil Police, the Gendarmerie (Mounted Police) and the police medical and veterinary officers serving therein, professional police instructors and technical officials.

(2) The employees and workers who:

serve in the establishment mentioned in paragraph 1. No. 1.,

serve in the Security Police, the Civil Police, the Gendarmerie and the auxiliary establishments belonging to them, such as schools, hospitals, convalescent homes, supply offices and equipment offices and persons who serve in the State Police Administrations.

H0809 - 0050

(3) The number of appointments of police administrative officials henceforth remaining dependent on the finances of the provinces (Laender) can be determined by the Reich Minister for Finance in agreement with the Reich Minister of the Interior.

Article 2

The Reich pays the personal allowances and bears the maintenance expenses of the officials, employees and workers of the Reich mentioned in Article 1 paragraphs 1 and 2 and the material expenditure of the whole of the State Police but not the personal allowances, maintenance expenses and costs of removal of the Police Administrative officials mentioned in Article 1 paragraph 3.

Article 3

(1) The revenues of the State Police are revenues of the Reich.

(2) The only revenues to remain to the districts are those which are still to be booked for the Financial Year 1936, and all revenues from taxes and fines.

. . . . . .

I hereby certify the agreement of the above copy with the original now before me.

Nuernberg, 10 July 1946.

s/ Dr. MERKEL

Attorney-at-Law

H0809-0051

Filed July 31, 1946

Gestapo Exhibit 12

Copy of document 2073-PS.

Excerpt from the

Reich Legal Gazette (Reichsgesetzblatt) (1936)

Part I, page 487.

Decree concerning the Appointment of a Chief of German Police in the Reich Ministry of the Interior of 17 June 1936

(Erlass ueber die Einsetzung eines Chefs der Deutschen Polizei im Reichsministerium des Innern vom 17. Juni 1936.)

I.

For the unification of police duties in the Reich, a Chief of German Police is instituted for the German Ministry of the Interior, to whom is assigned the direction and conduct of all police affairs within the jurisdiction of the Reich and of the Prussian Ministries of the Interior.

II.

(1) For the Chief of German Police in the Reich Ministry of the Interior, the Deputy Chief of the Secret State Police of Prussia is declared to be Reichsfuehrer SS Heinrich HIMMLER.

(2) He is subordinated individually and directly to the Reich and the Prussian Ministries of the Interior.

(3) In their absence he represents for his jurisdiction the Reich and the Prussian Ministries of the Interior.

(4) He bears the service title: Reichsfuehrer SS and Chief of the German Police in the Reich Ministry of the Interior.

III.

The Chief of the German Police in the Reich Ministry of the Interior shares in the sessions of the Reich Cabinet, insofar as his jurisdiction is concerned.

H0809-0052

IV.

I commission the Reich and the Prussian Ministries of the Interior with the execution of this decree.

Berlin, 17 June 1936.

The Fuehrer and Chancellor of the Reich

Adolf HITLER

The Reich Minister of the Interior

FRICK

I hereby certify the agreement of the above copy with the original before me.

Nuernberg, 10 July 1946.

s/ Dr. MERKEL

Attorney-at-Law.

H0809-0053

Filed July 31, 1946

Gestapo Exhibit 13

Excerpt from copy of RMBliV. 1936 No 44 pages 1343 - 1344

Appointment of Inspectors of the Security Police

Rd.Erl.d.RuPrMdI. of 20.9.1936

-Pol. S-V 1. 7/36 g.

.....

Appendix

Service instruction for Inspectors of the Security Police

(1) The special duties of the Security Police demand the closest and most intelligent collaboration with the Central Office of the General and Internal Administration of the provinces and districts, as well as with Gauleiters of the NSDAP and the Offices of the Wehrmacht.

(2) The Inspectors of the Security Police must foster this collaboration. They must keep permanently in closest touch, especially with the Administrative Heads (Oberpraesidenten), of their territory or with the Ministry of the Interior and to inform them of all important events and all essential discoveries and observations of the Security Police, and if occasion arises make suggestions to the Offices of the internal Administration and to eliminate difficulties which may arise.

(3) The Inspectors of the Security Police are personally and immediately under the direct command of the Administrative Heads (Oberpresidenten) or under the Minister of State of the Interior, and must follow their instructions. In the event of these instructions not being consistent with the general and special regulations and directives of the Chief of the Security Police, it is necessary to obtain the decision of the Chief of the Security Police should no agreement be arrived at.

(4) The Inspectors have the further task of supervising and carrying out of the orders of the Chief of the Security Police in their territory.

H0809-0054

They must provide for the organized assimilation of the administrative offices of the State Secret Police and the Criminal Police. They must report to the Chief of the Security Police any difficulties which may arise and make suggestions for improvement.

I hereby certify the agreement of the above copy with the original now before me,

Nuernberg, 10 July 1946,

s/ Dr. MERKEL

Attorney-at-Law.

H0809-0055

Gestapo Exhibit 14

Copy from Document 1723-PS (USA 266)

Excerpt from:

Degrees - Regulations - Announcements

Volume II.

Published by the Party Chancellery.

Central Publishing Office of the NSDAP, Frz. Eher Publishers, Munich.

Security Police.

A.200/38 Cooperation of Party Offices with the

14 Dec 38 GESTAPO.

As a summary of all regulations hitherto issued on cooperation with the Party and the Gestapo, I indicate, that is, I ordain the following:

1. The Gestapo has been charged by the Fuehrer with the mission of keeping watch on and rendering harmless the enemies of the Party of the Party and the National Socialist state, as well as all destructive forces of any kind directed against both. The successful accomplishment of this mission represents one of the most essential prerequisites for the unhampered and frictionless work of the Party. In this extremely difficult activity the Gestapo is to be given assistance and granted support in every possible way by the NSDAP. The supervision of the Party itself does not fall within the jurisdiction of the Gestapo.

   I forbid all offices of the Party, its organizations and affiliated associations to undertake investigations and interrogations in matters which are the business of the Gestapo. All occurrences of a political - police character are to be brought immediately to the knowledge of the competent offices of the Gestapo, as before, without prejudice to their being further reported along Party channels.

H0809-0056

2. The Gestapo must report automatically all occurrences of a criminal nature, even if Party Members are involved to the responsible public prosecutor according to the laws of the National Socialist State, in force for all nationals. In such cases, the State police offices will notify, as before, the Kreisleiters and Gauleiters concerned, of the reports made to the public prosecutor. Reports will include reasons for the incidents. In the interest of the reputation of the movement the functionaries (Hoheitstraeger) are obliged to suspend, if necessary, the party members, after contacting the responsible Party Court; the latter will hold a public hearing, to decide on the temporary suspension.

.....

A. 166/37 of 20 November 1937 — Reporting of Treasonable Activities to the Gestapo.

The Chief of the Party chancellery ordered as early as 20 October 1934 that the Party offices should immediately report all occurrences of a political-police character to the competent offices of the Gestapo.

Cause has arisen for again calling attention to the strict observance and execution of this regulation.

I particularly emphasize that all cases of treasonable activity against state or realm coming to the knowledge of the Party are to be reported to the Gestapo without delay. It is in no way a task of the Party to make investigations or inquiries of any kind in these matters on its own initiative. The institutions of the National Socialist state which were created for the discovery and removal of these dangers serve for this purpose.

Moreover, I call attention to the fact that the non-denunciation of treasonable activities against state or realm is punishable in accordance with par. 139 of the penal code, of which I annex a copy for your information.

H0809-0057

Copy from Document 1723-PS (USA 266), page 3

The Chief of the Party Chancellery expects unconditional observauce of these instructions from all Party offices for the Secret State Police will only be in a osition to render the leaders and participants in treasonable activities harmless if it receives timely knowledge of them.

Annex to Regulation No 166/37

of 20 November 1937.

Copy:

Par. 139 Penal Code: Whosoever gains credible knowledge about an intention to commit high treason or treason against the realm, damage to army material a crime against life, counterfeiting of money, a theft, kidnapping or a crime against the commonwealth, and neglects to inform the authorities or the parties threatened in time will be punished by emprisonment. If the act has not been attempted punishment may be waived. In particularly serious cases the sentence may provide for detention in a penitentiary, and when the act planned is punishable by death, life sentence or death.

.....

A. 232/25 dated 12 Dec 35. The taking over of political offices by officials of the Gestapo.

The Gestapo has the mission to safeguard the unhampered development of all forces active in the party and produced.

Since it is still in the process of organization and the available officials and employees are very much in demand, they are only to take over positions in the Party to the extent that this is compatible with their official duties in the Gestapo.

H0809-0058

Copy from Document 1723-PS (USA 266), page 4

I therefore ask a check to be made in every single case in close cooperation with the department of the Gestapo concerned, the leader of which welcomes the assumption of political functions by officials and employees of the Gestapo as to whether the assignment of political missions in the Party can be justified

.....

A certified true copy

Nuernberg, 10 July 1946

s/ Dr. MERKEL

Attorney-at-Law

Filed July 31, 1946

H0809-0059

Gestapo Exhibit 15

Excerpt from Document 2347-PS, page 1

Excerpt from: Reich Administration Bulletin 56

(Reichsverwaltungsblatt 56) - 1935 - 2

2347-PS

II. Administration of Justice.

Survey of decisions of the Prussian Supreme Administrative Court (Oberverwaltungsgericht).

Police in General.

(Rush-Reprint)

Since the Law on the Secret State Police (Geheime Staatspolizei) of 30 November 1933 (GS.S. 419) became effective, orders of the Office of the Secret State Police (Geheimes Staatspolizeiamt) can no longer be contested according to the provisions of the Law on the Administration of Police. The only remedy against them is a complaint to the superior authority.

Legal status of the Bureau of the Secret State Police according to the Law on the Secret State Police of 30 November 1933.

On 4 September 1934 the Association filed a suit against the Secret State Police at the District Administrative Court in Berlin. The association asserted that on 23 August 1934 their president had been informed by two officials of the office of the Secret State Police that the assets of the association would be sequestrated for the purpose of an eventual confiscation.

The President of the District Administrative Court informed the plaintiff about a copy of a written statement from the Secret State Police Office, in which it is stated that the confiscation is being effected on the basis of paragraph 1 of the order of the Reich President, dated 28 February 1933 (Reichsgesetzblatt I, page 83), by a special deputy of the political Police Commandant. Since the latter is also inspector of the Secret State Police in Berlin,

Excerpt from document 2347-PS, page 2

the measures, as far as they are made in Prussia, had to be considered as orders of the Secret State Police Office.

By its decision of 1 November 1934 the District Administrative Court decided to dismiss the suit.

The appeal of the plaintiff against this decision could not have any success.

The District Administrative Court in this case dismissed the suit on the ground of the inadmissability of such an action to this court. According to the principle of [illegible]ration quoted by the judge of first instance a suit can be filed with the administrative courts only if legal provisions expressly rule to that effect. The right of legal redress as provided by the law relating to Police Administration applies according to the wording of this law only to the police orders issued by the ordinary police authorities, i.e. the police authorities of the community, the district, or the province. The sequestration order in question was not issued by an ordinary police authority; on the contrary it came from the Office of Secret State Police, the legal status of which has been provided by the Law of 30 November 1933.

With this law an authoritative character was given to the Secret State Police which was basically different from the one at the time it was created, based on the Law of 26 April 1933. By virtue of this last-mentioned law, the Office of the Secret State Police should act in political matters "at the side of or in the place of the ordinary police-authorities" and "should have the status of a provincial police authority".....

This legal status was changed, as the District Administrative Court properly recognized, when the "Secret State Police" was created. An authoritative organization was created thus, the status of which is expressly determined by law to be exempt from the sphere of the Minister of Interior, otherwise competent in all Police matters.

H0809-0060

Excerpt from Document 2347-PS, page 3

Section 1, sub-section 1, sentences 1 and 2 of the Law of 30 November 1933 says: "The Secret State Police represents an independent branch of the internal administration. Its chief is the Prime Minister". The "internal administration" here is not used in the usual meaning of today according to which this word designates the specified affairs within the sphere of the Minister of the Interior.

That the Secret State Police became an independent organisation is clearly shown on one side by the fact that it is subordinated as a whole to the Prime Minister, and then by the creation of special authorities designated with specific names.

In accordance with all this the legal status of the Office of the Secret State Police since the Law of 30 November 1933 became effective is the following: The office is part of a special authoritative organisation, the "Secret State Police" which forms an independent branch of the administration of the Prussian State. It has, like the Secret State Police as a whole, a special field of/the management of affairs of the duties: political police. Therewith the characteristics are given of a "Special Police Authority" within the purview of Section 2, sub-section 2 and section 8 of the Law relating to the Administration of the Police, an authority detached from the organization of the ordinary police authorities entrusted with a special police task. It cannot be considered part of the limited circle of police authorities, i.e. State (Landes) authorities, Kreis or local authorities, pursuant to Section 2, sub-section 1 of the Law relating to Police Administration, as in relation to them it figures rather as a central authority pursuant to the mentioned provisions of Section 3, sub-section 2 of the Law of 30 November 1933.

From the character indicated above of the Office of the Secret State Police, which therefore doubtlessly forms a special police-authority,

H0809-0061

Excerpt from document 2347-PS, page 4

it can be concluded that its orders as mentioned before are not subject to the provisions of the law relating to the Police Administration in regard to means of redress. Neither does the Law of 30 November 1933 provide for the contesting of a decision by a suit (filing an appeal) at the administrative court. Therefore the party affected by such orders has only the general legal remedy of a complaint to the supervisory authority.

.....

I hereby certify that this is a true and literal copy.
Nuernberg, 10 July 1946.

s/ Dr. MERKEL

Attorney-at-law.

H0809-0062

Filed July 31, 1946

Gestapo - Exhibit 16

Decree of September 1st, 1939

on the Structure of Administration and the German Security Police in the Protectorate of Bohemia and Moravia.

RGBL. 1939 - Part I. Page 1681.

By legal power the Cabinet Council decrees:

.....

II. German Security Police in the Protectorate of Bohemia and Moravia.

Para. 10

The Secret State Police and parts of the Criminal Investigation Police in the Protectorate Bohemia and Moravia will be incorporated into the Reich's own administration. This is valid for the Criminal Investigation Police because of the introduction of German criminal jurisdiction in the Protectorate.

Para. 11

The units of the German Security Police in the Protectorate of Bohemia and Moravia are to fight all endeavours hostile to state and people in the Protectorate. Moreover they have to collect and interpret results of inquiries, to inform and keep informed the Reich Protector and his subordinate authorities on important evedence and make suggestions to them.

Berlin, Sept. 1st, 1939.

The Chairman of the Ministerial Council for the Defense of the Reich

GOERING

Field-Marshal

The General Trustee for the German Administration

FRICK

The Reich Minister and Chief of the Reich Cancellery

DR. LAMMERS.

H0809-0063

H0809-0064

I hereby certify the agreement of the above copy with the original now before me.

s/ Dr. MEAKEL

Attorney - at - Law.

H0809-0065

Gestapo Exhibit 17

Copy of document RF-812

Excerpt:

Ordinance

for introduction in Luxemburg of the Secret State Police Law of 10 February 1936. Dated 2 June 1941.

On the basis of the authorization given to the Chief of the civil administration it is ordered for his district as follows:

Sole paragraph.

The law of 10 February 1936 concerning the Secret State Police (Prussian Code, page 21) and the ordinance for the execution of the Secret State Police Law of 10 February 1936 (Prussian Code, page 22) will go into effect in Luxemburg as of 2 August 1940.

Luxemburg, 2 June 1941.

The Chief of the Cifil Administration
in Luxemburg
Representing
signed Dr. MUENZEL.

I hereby certify the agreement of the above copy with the original now before me.

Nuernberg, 15 June 1946.

s/Dr. MERKEL
Attorney-at-Law.

H0809-0066

Filed July 31, 1946

Gestapo Exhibit 18

Transcript of Reich Ministry circular 1937 No. 20, Page 753.

Border Police.

Circular of the Armament Production Ministry of the Interior of 8 May 1937

Police S-V No. 307.37-151.

The initiated coordination and unification of the tasks of the Police, as ordered by decree of the Fuehrer and Reich Chancellor of 17 June 1936 (Reich Legal Gazette I, page 487) and by my regulation dealing with the execution of the decree, necessitate, in order to change all contradictory regulations of the countries concerning the observation of the tasks of the Border Police within the Reich territory as follows:

I.

The observation of the tasks of the Border Police is subordinate to the exclusive competence of the Reich Minister of the Interior who is the Minister competent for the entire Police.

II.

The administration of the Border Police within the action-radius of the RFSSuChdDt Police in the Reich Ministry of Interior is entrusted to the chief of the Security Police, who himself entrusts the Senat+State Police-Bureau with the detailed execution of the same.

III.

The execution of the police-tasks at the frontier is entrusted to the Border Police-Branches (Border Police Commissioners' office and Border Police Posts). A list of these Border Police Branches is directly sent to the Bureaux concerned. The Border Police Commissioners offices (including the Border Police-Posts established by them) are - as before the Border Service Stations in Prussia and Baden - Offices for Foreign Service of the State Police Branches competent for their district.

IV.

(1) The secret State Police may also dispose of other branches

H0809-0067

of the executive police for the fulfillment of its tasks as Border Police. (Request for official assistance) The local competent departments of this Executive Police have to assist the Secret State Police. (Gestapo) The employees committed have to act according to instructions and orders of the Secret State Police.

(2) The commitment of departments and officials of other administrations for the purpose of tasks of the Border Police will be carried out within the present frame respectively according to special agreements with the competent Reich Ministers, of whom the competent agencies will be notified.

To all Police-departments -RMBliV. Page 753

I herewith certify above copy true to the original.

Nuernberg, 10 July 1946

signature illegible

Attorney-at-Law

Filed July 31, 1946

Gestapo Exhibit 19

Supplement to the Gazette of the Chief of the Security Police and of the Security Service of 15 January 1944 up to 24 February 1945.

Copy of Copy.

The Chief of the Security Police and of the Security Service

Berlin, 30 June 1944.

IV A 3 b - d 866/43

To

all State Police Main Offices,

the Inspectors of the Security Police and of the Security Service,

the Officers in command of the Security Police and of the Security Service,

the Special Purpose Units (Einsatzkommandos)

the Commissioner of the Chief of the Security Police and of the Security Service

in Brussels

the Main Sections of the Security Service,

the chiefs of the actual Special Purpose Groups, Special Purpose Units and other offices in operation,

the Immigration Central Office Litzmannstadt,

the Reich Security Office according to distribution C.

By way of information

To

a) the Reich Sir Minister
-General Air Ordnance Officer- Planning Board

Berlin-W

Leipzigerstr.8/9

b) Supreme General Staff I c
c/o Colonel v.Suesskind-Schwendt
immediately, by order (oViA),

Berlin

c) the Chief of the Army Armament Department and BDE WA Staff I c / A.O.

Berlin

H0809-0068

H0809-0069

a) the High Command of the German Navy - Minister of Armaments - (M.Fue)

B e r l i n

c) the German High Command - Special Staff HWK

B e r l i n

f) the Reich Minister for Armaments and War Production Armaments - Department JAP

B e r l i n W 8
Pariser Pl. 3

Re: Union of the counter espionage protection entrusted to the army and to the political police. Appointment of counter espionage commissioners.

The result of the transfer of the special department III Economy existing within the former branches, to the agencies of the State Police, is the union of the counter-espionage protection entrusted to the army, and the political police in industry and economy.

The responsibility for the defence of the armaments industry as well as of all other war and vital plants from espionage is henceforth the responsibility the chief of the Security Police and of the Security Service and his subordinate offices of the Secret State Police.

The carrying out of counter-espionage protection as well as the controlling and the deployment of the counter-espionage departments in the plants are now exclusively the task of the Secret State Police, according to the instructions given by the Reich Security Office.

In addition the following is ordered in this connection:

a) The desiguations "military" and or "political police" counter-espionage protection are abolished. The designation "counter-espionage" takes its place.

b) A separate appointment of "military" and "political-police" counter-espionage commissioners no longer takes place. The counter-espionage commissioners henceforth bear the designation "counter-espionage commissioner" only.

The letters patent issued up to now by the CKW to the military counter-espionage commissioners are to be withdrawn.

H0809-0070

and to be preserved. The letters patent of the hitherto existing Political Police Counter-espionage Commissioners remain valid; they wil be replaced by new instruments in due time.

Are valid as a basis for the activity of the counter-espionage commissioners until the issuance of uniform directions to be applied with appropriate modifications, as up to now.

1) The directives for the Security Police activity of the counter-espionage commissioners (Abwb.) issued by the Gestapo,

2) the official instructions:"The counter-espionage commissioner in the Armament Plants" issued by the Chief of the German High Command.

The counter-espionage commissioners henceforth will report only to the offices of the State Police which are controlled by them.

c) The decision as to which plants must be placed under counter-espionage protection is entrusted to the chiefs of the offices of the Secret State Police.

Inasmuch as it concerns plants for secret Wehrmacht manufacture, the armaments inspection teams and or armaments units are to take a part. These are to report in due time to the offices of the State Police all plants, that require counter-espionage protection in virtue of the orders of manufacture given to them by the Branches of the Wehrmacht, and to keep these offices continuously informed of all changes.

Insofar as plants were so far not entrusted to the counter-espionage protection of the politicd police, but to that of the army, they must now be placed under general counter-espionage protection.

The directives given in the decree of the Reich Security Office of 17-12-1943 IV E 2d - 888/43 are <u>uniformly</u> valid for reporting the plants to be placed under counter-espionage protection and for the appointment of the persons to be invested as counter-espionage commissioners.

H0809-0071

c) The closest cooperation is necessary with the armaments inspection teams and or armaments units in order to elaborate counter - espionage protection in a uniform way. At their request, information as to the state and extent of counter - espionage protection are to be given to these departments as well as to the Branches of the Wehrmacht giving orders for manufacture to the plants under protection; wishes expressed by them regarding the shaping and improvement of the measures in the plants charged with secret manufacture for the Wehrmacht are to be complied with.

Insofar as it is necessary, the offices mentioned are to be informed of special events of a political police nature in these plants.

a) The counter - espionage commissioners are duly to be instructed as soon as possible regarding the remodelling of counter - espionage protection

By order:

signed:MUELLER

certified:

signed: KNEBELMANN

(Seal) Chancellory employee K

I confirm herewith the conformity of the preceding copy with that before me.

(signature illegible)

Attorney

H0809-0072

Filed July 31, 1946

Gestapo Exhibit 20

Excerpt from: RMBliV. 1938 No 45, page 1790

Central Office for preliminary registration for Police Service.

Circular of the Reich SS Leader and Chief of the German Police in the Reich Ministry of the Interior.
of 25.10.1938 - O - VuR Org. 4243 III/38

(RdErl. d. RFSSu.ChdDtPol. im RMdI.
of 25.10.1938 - O - VuR Org 4243 III/38

(1) In modification of circular RdErl. of 9.8.1937 - O - VuR Org 3030/37 (RMBliV. page 1389) Part II No 1 the preliminary registrations for entering the career of State Police Administrative Service in Bavaria and Wuerttemberg will henceforth only take place at the Police Service Registration Office at Police Headquarters in Potsdam.

(2) Simultaneously the Central Registration Office is also authorized to register applicants for the State Police Administrative Service in Austria.

To the Provincial Governments (Landesregierungen). - For Prussia: To all Police Authorities RMBliV. p.1790

I hereby certify that the above copy agrees with the original now before me.

Nuernberg, 11. July 1946

s. Dr. Merkel

Attorney-at-Law.

H0809-0073

Filed July 31, 1946

Gestapo Exhibit 21

Copied extract from RMBliV. 1938 No. 28, pages 109 ff.

Qualification test of applicant for service in Security Police (Sicherheitspolizei) and in Security Service (SD - Sicherheitsdienst) of RFSS (Reichfuehrer SS).
Circularized decree of Reichfuehrer (RFSS) and Chief of German Police (ChdD.Pol.) in the RMdJ. (Reich Ministry of the Interior) of 23 June 1938 - S-V 4, No. 196/37-401-5.

I. Directives for the qualification test of applicants for the administrative executive service of Security Police and for service as lead as leader in the Security Service of the Reichfuehrer SS (RFSS).

1. (1) All applicants for positions in the administrative executive service of the Security Police and for service as leader in the Security Service (SD) of the RSFF (Reichfuehrer SS) must take a qualification as provided by the leader training school of the Security Service, No. 1 Schlosstrasse, Berlin-Charlottenburg.

. . . . .

3. The test is to provide a basis for an opinion on the entire personality of the applicant with reference to the requirements of the executive service of the Security Service (SD) and of the leader service in SD of RFSS (Security service of Reichfuehrer SS). The test requires two days and comprises:

1) Applicant's personal appearance.

. . . .

2) Physical ability tests.

. . . .

3) Determination of mental faculties on the basis of written and oral examination.

A. Written examination (4 assignments) to determine

a) general education;
b) ability to think logically and to work methodically, and
c) ability to express his ideas clearly.

H0809-0074

B. Oral examination to determine

a) Conduct and attitude in regard to social surroundings (questions pertaining to ideology (Weltanschauung) and experience in life);

b) general knowledge

c) ability to grasp; ability to think logically and grasp correctly; ability to judge;

d) observational ability and memory;

e) ability to express one'self clearly and in good German;

f) appreciation of the tasks and requirements of a profession which deals with criminals;

g) qualification as leader (approach to subordinates; ability to discuss a subject picked from the field of general knowledge before a group of listeners.

. . . . . .

I hereby certify the agreement of the above copy with the original now before me.

Nuernberg, 11 July 1946

s/ Dr. MERKEL

Attorney-at-law

Filed July 31, 1946

Gestapo Exhibit 22

Excerpt from RMBliV 1936 No 54, page 1671.

Training of candidates for Criminal Commissioners (Krim.-Kom.) of the Secret State Police with the criminal investigation police.

Circular of the Reich SS Leader and Chief of Police in the Ministry of the Interior of 14.12.1936 - S-V 5 No. 542/36.
(RdErl.d. RFSSuChsDtPol. im RMdJ. v. 14.12.1936 - S-V 5 No.542/36

(1) Until the final career regu' 'ions for Criminal Commissioners of the Secret State Police are compiled, the candidates for Commissioner of the Secret State Police are also, as a part of their over-all training, to be transferred for 9 monts to the national police administrative headquarters nearest to their office, provided the criminal directing department (Krim.-(leit) Stelle) of such headquarters is available for the training of Criminal Commissioner candidates (see Appendix)

.....

(3) Since during their training and in their police service the Criminal Commissioner Candidates of the Secret State Police have to meet the same fundamental requirements as commissioner candidates of the general Criminal Police, their training during this period of transfer is to be carried out and furthered in every respect according to the guiding principles which are also valid for the candidates for Criminal Commissioner of the National Criminal Police.

.....

I hereby certify that the above copy agrees with the original now before me.

Nuernberg, den 10 July 1946.

s/ Dr. MERKEL

Attorney-at-Law

H0809-0075

H0809-0076

Filed July 31, 1946

Gestapo Exhibit 23

Copy of excerpt from RMBliV. 1937 No 23, page 918.

Detailing of Police and Gendarmerie Officials.

RdErl. d. RFSSuChdDtPol.im RMI dJ. v.2.6.1937-O-Kdo P (1a) Nr 38/37 I/II.

(1) The Police and Gendarmerie officials detailed outside of the regular plan for service with the Secret State Police are not to be recalled until the budget of the Reich Police for the fiscal year 1937 is completed. If in the meantime isolated details should have been recalled, I request that the officers concerned be again made available.

(2) In future requests for the detailing of Police and Gendarmerie officials to the Secret State Police can be complied with only within existing provisions of the plan or such as are foreseen for inclusion in the budget.

(3) In other respects the circular of RuPrMdI. of 13.6.1935 - III S II 56c No 13/35 (MBliV. S.780) issued for Prussia applies according to its intents to the police officials of the other provinces.

To the Reichstatthalter, the Provincial Governments, the State police authorities.

- RMBliV. S. 918.

I herewith certify the agreement of above copy with the original before me.

Nuernberg, 10 July 1946.

s/ Dr. Merkel

Attorney-at-Law.

Filed July 31, 1946

Excerpt copy from the RMBliV. 1941 No. 31, Page 1367

Subordination of police-administration officials to the special jurisdiction of the SS and Police Circular Decree of the Reich-Leader SS nchd German Police in the Reich Ministry of the Interior of 21 July 1941 -O-VuR PBG 4261/41

(1) in accordance with the decree of 19 May 1940 - O-Kdo P I (1 a) No. 202/40 (not published) the Police-administration officials fall under the special jurisdiction only in so far as they are performing their duty with troop units or the Superior Command posts of these units.

(2) In order to clarify doubts, I decree:

A performance of duty with troop units or Superior Command posts is only considered such

a) if the Police-administration official is assigned to a police-unit or a police-organization for employment outside his locality; the outside employment starts for him with the announcement of the travel order and ends when he reports back to the administration authorities;

b) in the case of police administration officials of the police-schools, police training institutions, SS- and State Police hospitals, in so far as they have been placed under the jurisdiction of the commander or the commanding medical officer in accordance with Article 2, Paragraph 5, 2nd sentence DBG.

(3) On the other hand, however, the Police administration officials of a police administration of higher administration-authorities, who whithin the framework of the competence of their organization only have to supply economically a police-unit or the security-police (Gendermerie) at their garrison, without being assigned to the troop unit do not count as falling under special jurisdiction. This also applies if these police-administration officials are subordinated to the commander of the Security Police or any other police leader.

(4) I request that the police-administration officials who have been subordinated to the special jurisdiction be immediately instructed as

H0809-0077

H0809-0078

Excerpt Copy from the RMBliV. 1941 No. 31, Page 1367

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to the character of the special juristiction, and to point out to them in particular, that subordination under special jurisdiction not only implies the implies the competence of the SS- and Police Courts, but that they are also subject to the more severe military war-time laws. The instruction is to be put down in writing and to be given in future to every police-administration official who is intended for assignment to a duty which calls for subordination under the special jurisdiction. In particular every police-administration official who has been assigned to a police-organization (police-unit) which is intended for use outside the locality, is to be informed at the announcement of the travel orders, that from this time on, and for the duration of his tour of duty outside the locality, he is subject to military criminal law and SS- and police jurisdiction.

(5) A copy of this Circular Decree is to be enclosed to the PDV 33.

To all police authorities.

INFORMATION COPY to the Reich Protector in Bohemia and Moravia, the General-Governor in Cracow, the Reich Commissioners (Heads of the Civil Police) (Ordnungspolizei) in the occupied territories.

-RMBliV Page 1367

I herewith certify that the above excerpt is a true copy of the original, now before me.

Nuernberg, 10 July 1946.

(signature illegible)
Attorney-at-Law.

H0809-0079

Filed July 31, 1946

Gestapo Exhibit 25

Basic Order

1. Nobody: No Office, no officer should learn from a matter to be kept secret, unless for reasons connected with the service, they must absolutely have such information.

2. No Office and no officer should learn from a matter to be kept secret m o r e than is absolutely necessary for the carrying out of t h e i r task.

3. No office and no officer should learn beforehand from a matter to be kept secret, more than the part necessary for them for the carrying out of t h e i r task.

4. The thoughtless passing on of orders, the secrecy of which is of the utmost importance, in accordance with any general distribution system is prohibited.

s/ Adolf Hitler

I hereby certify this to be an exact copy.

Nuernberg, 15 June 1946

s/ Dr. Merkel

Attorney-at-Law.

H0809-0080

Gestapo Document book I :

Gestapo Exhibit

No. 26, 27, 28, 29, 30, 31

2) Origin, development, and tasks

of the Gestapo

b) Publications

(Page 68 of original)

Gestapo Exhibit 26

Excerpt from document 1956-PS

Excerpt from:

"Das Archiv"

Volume 22-24

Filed July 31, 1946

January-March 1936

Pages 1342 - 1343

Significance and Duties of the Secret State Police.

.....

The Secret State Police is an official machine of a criminal police character, whose special task is the prosecution of crimes and offences against the State, above all the prosecution of high treason and treason. The task of the Secret State Police is to detect these crimes and offences, to ascertain the perpetrators and to bring them to judicial punishment. The number of criminal proceedings continually pending in the People's Court because of actions of high treason and of treason is the result of this work. The next most important field of operations for the Secret State Police is the preventive combatting of all dangers threatening the State and the leadership of the State. As, since the National Socialist Revolution, all open struggle and all open opposition to the State and to the leadership of the State is forbidden, a Secret State Police as a preventive instrument in the struggle against all dangers threatening the State, is indissolubly bound up with the National Socialist Leader State. The opponents of National Socialism were not removed by the prohibition of their organizations and their newspapers, but have withdrawn to other forms of struggle against the State. Therefore, the National Socialist State has to trace out, to watch over and to render harmless the underground opponents fighting against it

H0809-0081

in illegal organizations, in camouflaged associations, in unions of well-meaning fellow Germans, and even in the organizations of party and state, before they have succeeded in actually executing an action directed against the interest of the state. This task of fighting with all means the secret enemies of the state is one which no Leader State can ever escape, because powers hostile to the state, from their foreign headquarters, always make use of some persons in such a state and employ them in underground activity against the state.

.....

I hereby certify that the above copy corresponds to the original now before me.

Nuernberg, 12 July 1946.

s/ Dr. MERKEL

Attorney-at-Law

H0809-0082

H0809-0083

Filed July 31, 1946

Gestapo Exhibit 27

Excerpt from: Voelkischer Beobachter, Berlin, 22 January 1936

The "Gestapo"

The "Voelkischer Beobachter" publishes the following leading article to-day, within the framework of the National-Socialist Press, regarding the institution, significance and tasks of the Secret State Police.

(Reprinted for part of the edition)

The Secret State Police is probably one of the most discussed and least known National-Socialist State institutions. Series of newspaper articles and whole books are devoted to it abroad, in which a mysterious, world-wide organization is depicted and hundreds and hundreds of Gestapo agents "unmasked". At home, there is no end to the whispers about Secret State Police "power" operating in the background - whispers inspired by a natural fear on the part of uneasy consciences and by wishful thinking in the case of those who feel concerned for the State and the movement. Actually, the Secret State Police is a necessary as well as a positive, matter-of-fact institution, which can stand and which desires a truthful exposition of its nature and duties.

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The Secret State Police thus described is primarily a regular official machinery of the criminal police, whose business is the repression of offences and crimes against the State. The task of the Secret State Police is to investigate such offences and crimes, detect their authors and deliver these to judicial punishment. The number of criminal prosecutions continuously handled by the People's Tribunal for high treason activities, particularly of Communists and other

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Marxists, and/for treason against the State, is the result of the work of the Secret State Police.

The State must, however, not be content with investigating actual crimes of high treason and treason against the State and punishing their authors. It is much more important to prevent such criminal acts and thus destroy at the root those dangers that threaten the State. Another important department of the Secret State Police, therefore, is the preventive combatting of all dangers threatening the State and its leaders. The Secret State Police carries out, as a result of its detective work, the necessary police preventive measures. The most effective preventive measure is undoubtedly deprivation of freedom, which is inflicted in the form of "preventive arrest" when there is reason to fear that the free activity of the person involved will endanger the security of the State in any way. The recourse to preventive arrest is regulated by directives of the Reich and Prussian Minister of the Interior and by a special procedure for the investigation of arrests, in such a manner that - in the measure compatible with the task of the preventive combatting of the enemies of the State - sufficient guarantees are provided against an abuse of preventive arrest. The paramount thing is, however, that the homogeneous training and identity of methods in all administrative offices of the Secret State Police have had the result that the successes obtained by the use of preventive arrest overwhelmingly outweigh the occasional, inevitable hardships .

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I hereby certify conformity of the above copy with the photostat before me.

Nuernberg, 3 July 1946

signed: illegible

Attorney-at-Law

H0809-0085

Filed July 31, 1946

GESTAPO Exhibit 28

Copy of Document 2232-PS

Excerpt from: Dr. Hans FRANK, "German Administrative Law" ("Deutsches Verwaltungsrecht"), page 420.

The Subject:

According to this outline of duties, the object of the activity of the Political Police is all "efforts dangerous to the State".

a) Efforts, not merely conditions, must exist which are regarded as dangerous to the interests of the State. The Political Police is the instrument for protecting against and combatting all counscious and deliberate forces whose activity tends to endanger the State. When dangerous conditions arise, owing to insufficiencies, unfavourable circumstances or disasters, the Political Police will also take note of these conditions themselves, although in connection with the tendency toward efforts dangerous to the State which is always increased by such conditions - but providing relief is the business of the authorized, special administrative departments, such as the economic, public welfare, propaganda and other authorities. The Political Police cannot simply be burdened with the responsibility for the control and correction of the results achieved by all branches of the State machine. This would extend beyond its duties and beyond its strength and at the same time result in constant friction with these other branches of the administration.

On the other hand, authority is given to the Political Police as soon and in so far as efforts dangerous to the State, that is, conscious and deliberate acts, are ascertained even within the limits of conditions resulting from other circumstances. Thus far does the Political Police assert its claim to have the investigation and combatting of these efforts turned over to it.

b) All efforts dangerous to the State are the object of the activity of the Political Police. "Dangerous to the State" goes further than "hostile to the State" and includes not only undertakings with programs hostile to the State but also all efforts - no matter what their aim - which <u>in their effects</u> endanger the State.

Not the State in its outward organizational appearance but the tasks of the leadership within the meaning of the National Socialist idea is the object of protection. It is the task of the National Socialist leadership to preserve and to develop all national values. When these are endangered, the Political Police is called upon for protection against the endangering efforts, e.g. if there is any danger,

to the State leadership and structure of the State by terroristic designs and revolutionary plans,

to the Armed Forces and the forces of defense by espionage and (intellectual or technical) sabotage,

to the community of the people and the State principles by disintegration and instigation,

to the national health and blood purity by moral corruption (e.g. offenses according to Section 175 of the Reich penal code) and racial disgrace,

to the ideological solidarity of the people by spiritual poisoning and distortion (e.g. by "Jehovah's Witnesses" and other sects).

A complete catalogue of "efforts dangerous to the State" can never be drawn up because it can never be foreseen what may endanger the leadership and the people sometime in the future. National Socialist recognition of threatening danger and National Socialist consciousness of responsibility will understand and fulfill the duties of the Political Police according to the real necessities in any political situation.

I hereby certify that the above copy agrees with the original now before me.
Nuernberg, 10 July 1946.

s/ Dr. MERKEL

Attorney-at-law

H0809-0086

Filed July 31, 1946

(Page 74 of original)

Gestapo Exhibit 29

Excerpt from : Dr. Werner Best,

"The Secret State Police." (Die Geheime Staatspolizei.)

(Published) in "Deutsches Recht" of 15.4.36.

..... page 125

"Political Police" is the inadequate characterization for the institution of the state, which wards off attacks against state and people arising from political motives or accompanied by political results, by means of the direct executive offices, and creates for itself the necessary informational and control facilities for the preparation of the intelligence service.

..... page 126

Resources and Organisation of a Political Police.

The mediums of these Political Police are on the one hand of a criminal police nature and on the other hand of a preventive police nature. The Political Police is competent for the execution of police investigations in cases of high treason, treason against the country, and cases of emanations as well as for other punishable attacks on State and Party. Their preventive measures however, are more important than the punishment of crimes already committed. Hence follows the importance of the values to be protected and the gravity of the acts to be prevented. Accomplished high treason already means the end of a state. Accomplished treason against the country means the most serious endangerment of the external security. Every undertaking of this sort aims at completion.. Punishable acts must therefore be prevented before the attempt, so that their supposition - association of persons for certain purposes, spreading of certain conceptions and aims, etc. - way be discovered and suppressed in time.

I hereby certify that the above copy agrees with the original now before me.

Nuernberg, 15 June 1946.

s/ Dr. MERKEL.
Attorney-at-Law

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Gestapo Exhibit 30
Exhibit USA 477

The German Police - 11th Year No. 3 of 1 February 1943

10 Years of the Security Police and SD.

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1. The Secret State Police (Gestapo).

The first step for the formation of the Gestapo in place of the political police of the individual provinces took place in Prussia through the law for the establishment of a Gestapo office of 26 April 1933. Under the same dateline a circular decree of the Prussian Minister of the Interior was issued for the reorganization of the political police, which settled the individual duties and powers of the Gestapo office, and which established a state police agency as a subordinate auxiliary organization of the Gestapo in every government district (Regierungsbezirk) of Prussia. The founder and chief of the Gestapo in Prussia was Minister President Hermann GOERING. In the spring of 1934 the state police agencies were separated from their organizational connections with the provincial governments (Bezirksregierungen) or the state police administrations by circular decree of the Minister President and Chief of the Gestapo, and appointed independent authorities of the Gestapo.

Parallel to this development in Prussia, Reichleader SS, Heinrich HIMMLER, had created the Bavarian Police in Bavaria, and also suggested and directed the organization of Policial Police agencies in the remaining provinces outside of Prussia. The uniform coordination of the political police of all the provinces then took place in the spring of 1934, when Minister President Hermann GOERING appointed the Reich Leader SS, Heinrich HIMMLER, who in the meantime had become the commander of the political police in all provinces outside of PRUSSIA, Deputy Chief of the Prussian Gestapo. This appointment made possible a uniform

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Copy: "The German Police" - 11th Year No. 3 of 1 February 1943, Page 2

leadership and thereby a uniform procedure in the Reich, and at the same time made possible the further expansion of the Political Police of all provinces. The Prussian law on the GESTAPO of 10 February 1936 then summarized its previous development and regulated the position and powers of the GESTAPO with the executive enactment of the same day.

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On the temporary basis of these organizational forms and the jurisdictional powers connected with them, the GESTAPO, after the assumption of power, took up the fight against the open and hidden political enemies of the National Socialist People's State, and is still engaged in it today. In this respect it does not restrict itself only to clearing bringing up political crimes which have already been committed and/the perpetrators to punishment, but likewise endeavors to prevent criminal acts, of this kind, and thereby to eliminate dangers which are threatening the community in their very beginning. Constant investigation and observation of the enemies of the State, and quick action in the case of recognition, as after an act has been committed, overlap in this manner. In the fulfillment of these tasks the GESTAPO contributed decisively in the past ten years to the result that the National Socialist work of reconstruction could be accomplished without any substantial attempts at disturbance by the nation's political parasites.

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I hereby certify that the above copy agrees with the original now before me.

Nuernberg, 15 June 1946.

(illeg. signature)

Attorney-at-Law.

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Gestapo Exhibit 31

Excerpt from: Berliner Lokalanzeiger of 10-3-1934

The German State Police is the National Police.

The information department of the Secret State Police Office announces:

The Prussian Prime Minister in his capacity of Chief of the Secret State Police points out that rumours have lately been started by interested circles regarding the working methods of the Secret State Police, rumours which obviously aim at shaking the nation's confidence in the Secret State Police and at sapping the respect due to it in the eyes of the right-minded. For example, according to numerous reports received by the Secret State Police, the idea is spread abroad with malice aforethought, that it is employing in the same way the method of spying out suspiciously and uneasily all conceivable events of a person's past among other ways by the indicriminate and general suspension of the secrecy of the postal and telephone services which were and/ or still are characteristic of certain unpraiseworthy arrangements of the Political Police of the past and of the present in other European States.

Such conceptions do not only speak of a profound ignorance of the actual conditions, but still more of a complete incapacity to understand the system of the National Socialist State and its institutions. The National Socialist State needs no Ochrana. As a strong State it created, indeed, a strong police force, and within this, in the form of the Secret State Police, a particularly effective instrument of power. The National Socialist State, however, is therefore not a Police State which would have found it necessary to search everywhere and at any time through the psychosis of fear so characteristic of a Police State , for alleged opponents, and by acting thus perhaps first of all to create artificially the victims for police seizure.

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"He who is of good will, has nothing to fear".

As all other police service branches, the Political Police organized within the Secret State Police is a national police. It finds its efficacy in the lively contact with the resuscitated national consciousness of the German people and thus distinguishes itself basically from all the institutions of other nations and also from former times in Germany with which the so-called spreading of rumours would apparently like to compare it.

Being conscious of this its power, the Secret State Police can always wait to see if someone will dare to lift his hand for the attack on the National Socialist State. On the contrary, he who is of GOOD WILL has NOTHING to fear from the Secret State Police and above all he need not be anxious that his every expression of life will be mistrustfully controlled."

Protective custody becomes less necessary.

According to a further communication of the Secret State Police Office, less use is also necessarily made of the decree of protective custody in connection with the increasing inner political calm. The Prussian Prime Minister therefore, after having lately broken up the State concentration camp of Brandenburg, has also just ordered the breaking up of the State concentration camp at SONNENBURG for the end of this month. At the present time there are still some 2800 persons in protective custody in the Prussian State concentration camps.

I confirm herewith the agreement of the preceding copy with the photostat before me.

Nuernberg, 5 July 1946

(signed) Dr. MERKEL

Attorney-at-Law